HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.15581 of 2004

Date: 12-7-2006

Between:

Dr. T. Sharon Raju .. Petitioner

And

The Registrar, Andhra University,
Visakhapatnam and 3 others ..
Respondents

ORDER:

Heard Sri D. Chandra Sekhar, learned counsel for the petitioner and none appeared for the respondents.

Sri Chandra Sekhar has submitted that the 4th respondent has since retired from service on attaining the age of superannuation and the second limb of the prayer in the writ petition has, therefore, become infructuous.

In respect of the first limb of the prayer, Sri Chandra Sekhar has submitted that interim direction granted by this Court in W.P.M.P. No.20242 of 2004 was rendered infructuous by the ingenious act of the University in backdating the proceedings concerning the consideration of the candidature of others, while depriving the petitioner of the opportunity of being considered till now. He further stated that there are still vacancies in I.A.S.E. and the Department of Education, Andhra University, in which the writ petitioner can still be accommodated, keeping in view his excellent academic record and performance as disclosed by the material papers annexed to the petition. He lamented that his knowledge and experience in teaching are ignored in view of his caste.

The relief sought for in the writ petition was for an opportunity to the writ petitioner to serve I.A.S.E., and the Department of Education, Andhra University as faculty member, whenever vacancies are filled either for regular placement or on contract basis on par with the existing faculty and it is admitted that the writ petitioner earlier engaged on contract basis by the University, out of such contractual engagement since long till now,

has only to be considered afresh for being appointed either on contract or on regular basis as done in case of persons similarly situated by the University. The authorities of the University can, therefore be requested, under the circumstances, to consider the claims of the writ petitioner for such appointment on merits and the writ petitioner can seek an appropriate legal remedy, if he is aggrieved by any such fresh consideration.

Therefore, respondents 1 to 3 are directed to consider any request or representation of the writ petitioner for consideration for appointment as a faculty member in I.A.S.E. and the Department of Education, Andhra University either on contract basis or on regular basis, as and when the writ petitioner chooses to make such a request or representation, on par with and in the same manner as similar requests were considered in respect of similarly situated persons, within one month from the date of receipt of such request or representation and the writ petitioner is at liberty to pursue any appropriate legal remedy available to him, if aggrieved by the result of any such consideration or non-consideration within the time permitted by this Court.

The writ petition is accordingly disposed of. No costs.

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G. BHAVANI PRASAD, J

Date: 12-7-2006

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